M-1 Spear-5A-1

## BRICKFIELD BURCHETTE RITTS & STONE, PC

WASHINGTON, D.C. AUSTIN, TEXAS

April 29, 2005

Mr. Charles L.A. Terreni Chief Clerk/Administrator South Carolina Public Service Commission 101 Executive Center Dr., Suite 100 Columbia, SC 29210



Re:

Carolina Power & Light Company d/b/a Progress Energy Carolinas, Inc. –

Annual Review of Base Rates for Fuel Costs.

Docket No. 2005-1-E

Dear Mr. Terreni:

Enclosed please find the original and eleven (11) copies of the Motion to Extend Procedural Schedule for filing on behalf of Nucor Steel-South Carolina. Please acknowledge receipt of this document by file-stamping the extra copy and returning it in the enclosed postage pre-paid envelope.

Please let me know if you have any questions.

Sincerely,

Garrett A. Stone

D. Cameron Prell

Enclosures

cc:

Len S. Anthony, Esq.

Florence P. Belser,

Wendy B. Cartledge, Esq. Benjamin P. Mustian, Esq.

Scott Elliott, Esq.



### BEFORE THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION

In the Matter of:	
	)
Carolina Power & Light Company d/b/a	)
Progress Energy Carolinas, Inc.	)
Annual Review of Base Rates	)
For Fuel Costs	)

**Docket No. 2005-1-E** 



#### MOTION TO EXTEND PROCEDURAL SCHEDULE

Nucor Steel-South Carolina ("Nucor") hereby moves to extend the procedural schedule in this proceeding by two weeks, or in the alternative, one week, and to accordingly postpone the hearing date by an equal amount of time. The current schedule does not allow sufficient time for Nucor or other interested intervenors to adequately participate in, review, and appropriately address the issues created by the enormous, and unprecedented, proposal for a fuel factor rate increase made by Progress Energy Carolinas Inc. ("PEC") in this proceeding.

In support of its motion to extend, Nucor states as follows:

1) PEC is proposing to increase to its fuel factor by 1.320 cents/KWh, to 2.791 cents/KWh. If allowed, this increase will constitute a historic almost 90% percent increase over PEC's currently effective fuel factor of 1.471 cents/KWh. The new fuel factor, as well as the increase, are far greater than any increase ever proposed by PEC (and probably ever proposed by any South Carolina regulated electric utility) and require significant review and scrutiny in this proceeding. The impact of this type of increase on South Carolina residents, businesses and industry will be extraordinary and needs to be fully assessed by the Commission.

- 2) According to the current procedural timetable in this proceeding, the hearing is set for May 25, 2005, less than 30 days after April 27, 2005, the date on which PEC filed its direct testimony on the proposed fuel factor rate increase.
- 3) Intervenor direct testimony on the proposal is presently due May 11, 2005, 2 weeks after the filing of PEC's testimony. While this might be sufficient time for the normal, relatively uneventful, fuel case, it is insufficient to conduct the necessary analysis to adequately prepare testimony in this case. When this schedule was established the Commission was unaware of the magnitude of the likely proposed increase in this case.
- 4) After review of PEC's response to the first data request of ORS and in anticipation of PEC's April 27, 2005 filing of its testimony, Nucor issued its first set of data requests to PEC on April 22, 2005. PEC is required to respond to Nucor's first set by May 2, 2005. Maintaining the current timetable will give Nucor very little time to review any information provided and fully develop its direct testimony. Furthermore, only after Nucor receives PEC's responses will it know whether follow-up discovery is warranted and necessary, at which point it will be too late to obtain any responses for use in preparation of direct testimony.
- 5) Substantial additional time would be necessary to fully and completely evaluate PEC's historical and projected fuel costs. However, Nucor is mindful that a new fuel factor is supposed to be in place July 1, 2005. As a result, the amount of additional time that can be granted is limited. Nucor would strongly prefer at least a two week extension of all testimony filing dates and the hearing, although even a one week extension of these dates would be very helpful.

WHEREFORE, for the reasons set forth above, Nucor respectfully requests that the Commission: (a) extend the procedural schedule by two weeks in this proceeding by postponing each testimony filing date and the hearing by two weeks, or in the alternative, (b) extend the procedural schedule by one week in this proceeding by postponing each testimony filing date and the hearing by one week.

Respectfully submitted,

MOORE & VAN ALLEN, PLLC

Thomas S. Mullikin

Thomas S. Mullikin

100 North Tryon Street Suite 4700 Charlotte, North Carolina 28202 (704) 331-3580 (704) 339-5870 Telefax tommullikin@mvalaw.com

Counsel for Nucor Steel - South Carolina

BRICKFIELD, BURCHETTE, RITTS & STONE, P.C.

Garrett A. Stone

1025 Thomas Jefferson Street, NW Eighth Floor, West Tower Washington, DC 20007 (202) 342-0800 (202) 342-0807 Telefax gstone@bbrslaw.com

# BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

#### **DOCKET NO. 2005-1-E**

In the Matter of:	)	
	)	
Carolina Power & Light Company d/b/a	)	CERTIFICATE OF SERVICE
Progress Energy Carolinas, Inc.	)	
Annual Review of Base Rates	)	
For Fuel Costs	)	

This is to certify that the foregoing document was served upon the following parties at the addresses set forth by first-class mail, postage pre-paid this 29th day of April, 2005:

Len S. Anthony, Esq.

Progress Energy Services Company
P.O. Box 1551 / PEB 17A4
Raleigh, NC 27602

Florence P. Belser, Esq. Wendy B. Cartledge, Esq. Benjamin P. Mustian, Esq. Office of Regulatory Staff Post Office Box 11263 Columbia, SC 29211

Scott Elliott, Esq.

SC Energy Users Committee
Elliott & Elliott, PA
721 Olive Street
Columbia, SC 29205

D. Cameron Prell